



May 1, 2023

The Honorable Yvonne Gonzalez Rodgers
Oakland Courthouse, Courtroom 1 – 4th Floor
301 Clay Street, Oakland, CA 94612

Re: *Brown, et al., v. Google LLC*, Case No. 4:20-cv-03664-YGR-SVK

Dear Judge Gonzalez Rodgers:

I write on behalf of the Plaintiffs in the above-captioned case regarding Google's pending motion for summary judgment (Dkt. 908). Google's Responsive Separate Statement to Plaintiffs' Additional Material Facts (Dkt. 933-3), filed on April 26, 2023, identified certain clerical errors within the exhibits filed by Plaintiffs with their opposition to Google's motion for summary judgment (Dkts. 923-26). Plaintiffs have reviewed their filings and now wish to correct those clerical errors and others Plaintiffs have identified. This letter attaches corrected copies of (1) my April 12, 2023 declaration (Dkt. 923-1), (2) the Statement of Facts (Dkt. 933-3), and (3) Plaintiffs' Exhibits 5, 21, 35, 45, 54, and 63. Plaintiffs will also submit hard copies, including a full set of Plaintiffs' exhibits.

Plaintiffs do not believe Google has suffered any prejudice from these errors because, in each case, Plaintiffs elsewhere in their papers identified the correct document and/or citation.

1. April 12, 2023 Mao Declaration (Dkt. 923-1)

- Paragraph 17: My declaration mistakenly identified Exhibit 15 as a copy of Google's Response to Plaintiffs' RFA No. 31. Exhibit 15 (Dkt. 924-19) is actually Google's Responses and Objections to Plaintiffs' RFAs Nos. 52-55. Plaintiffs filed the correct document for Exhibit 15.

2. Statement of Facts (Dkt. 933-3)

- Fact 31: Plaintiffs cited to "Class Cert Ex. 16." The correct citation is to Mao Ex. 68. Plaintiffs also included a cross-reference citation to PAF 15, where Plaintiffs included the correct citation to Mao Ex. 68.



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- Fact 37: For the “Castillo Tr.” Plaintiffs mistakenly cited to Mao Ex. 7 instead of Ex. 5. Plaintiffs elsewhere correctly cited the “Castillo Tr.” as Mao Ex. 5.
- PAF 5: Plaintiffs mistakenly cited Mao Ex. 22 instead of Mao Ex. 21.
- PAF 33: On April 21, Plaintiffs filed a letter notifying the Court about typos in the Mao Declaration regarding Exhibits 104 and 105. Dkt. 929. The Statement of Facts filed with this letter corrects that same error, clarifying that Mao Exhibit 105 is Hochman Opening Report Ex. F, not Ex. B.

3. Exhibits to the April 12, 2023 Mao Declaration:

- Exhibit 5: Plaintiffs filed the correct document (Dkt. 924-9), but Plaintiffs omitted certain pages from the transcript cited in Statement of Facts, Fact No. 75. Plaintiffs are filing a corrected exhibit with the missing pages with this letter.
- Exhibit 21: Plaintiffs filed the correct document (Dkt. 924-25), but Plaintiffs omitted certain pages from the transcript cited in Statement of Facts, PAF 5. Plaintiffs are filing a corrected exhibit with the missing pages with this letter.
- Exhibit 35: Plaintiffs filed the wrong document (Dkt. 924-39). But Plaintiffs identified the correct document with a parenthetical in Statement of Facts, PAF 7, and Plaintiffs identified the correct Bates number in the Mao Declaration, Dkt. 923-1 ¶ 37. Plaintiffs are filing the correct exhibit with this letter.
- Exhibit 45: Plaintiffs filed the wrong document (Dkt. 924-49). But Plaintiffs identified the correct Bates number in the Mao Declaration. Dkt. 923-1 ¶ 47. Plaintiffs are filing the correct exhibit with this letter.
- Exhibit 54: Plaintiffs filed the wrong document (Dkt. 925-4). But Plaintiffs identified the correct Bates number in the Mao Declaration. Dkt. 923-1 ¶ 56. Plaintiffs are filing the correct exhibit with this letter.
- Exhibit 63: Plaintiffs filed the wrong document (Dkt. 925-13). But Plaintiffs included a parenthetical in the Statement of Facts identifying the correct document. PAF 12. In the Mao Declaration, the wrong Bates number is listed. Dkt. 923-1. ¶ 65. Plaintiffs are filing the correct exhibit with this letter, and Plaintiffs are correcting the Mao Declaration as well.

Plaintiffs apologize for these errors and any resulting inconvenience.



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Sincerely,

A handwritten signature in blue ink, appearing to read "Mark C. Mao".

Mark C. Mao